

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK



CONSUMER FINANCIAL PROTECTION
BUREAU, et al.,

Plaintiffs,
v.

CASE NO. 24-cv-40 EAW-MJR

STRATFS, LLC (F/K/A STRATEGIC
FINANCIAL SOLUTIONS, LLC), et al.

Defendants, and

STRATEGIC ESOP, et al.,

Relief Defendants.

ORDER GRANTING MOTION TO LIFT STAY

THE UNILAND PARTNERSHIP OF DELAWARE L.P. ("Uniland"), has moved this Court for an order lifting the Stay Order so that Uniland can enforce its rights to recover the amounts owed under the Lease since the Receiver took possession of the Leased Premises and directing the Receiver to pay the amounts owed under the Lease since he took possession of the Leased Premises, and to remain current for so long as the Receiver remains in possession of the Premises.

In support of its motion, Uniland submitted the Notice of Motion dated March 29, 2024, the Declaration of Joel A. McMahon in Support of Uniland's Motion to Lift Stay dated March 29, 2024, with annexed exhibits, the Declaration of Brian D. Gwitt in Support of Uniland's Motion to Lift Stay dated March 29, 2024, with annexed exhibits, the Memorandum of Law in Support of The Uniland Partnership of Delaware, L.P.'s Motion to Lift Stay, and The Uniland Partnership of Delaware, L.P.'s Reply in Further Support of its Motion to Lift Stay.

In response to the motion, Plaintiffs Consumer Financial Protection Bureau and the People of the State of New York submitted Plaintiffs' Opposition to The Uniland Partnership of Delaware, L.P.'s Motion to Lift Stay, and the Receiver, Thomas W. McNamara, submitted the Declaration of Thomas W. McNamara In Opposition to Motion to Lift Stay dated April 9, 2024, and Receiver's Memorandum of Law in Limited Opposition to Uniland Partnership of Delaware, L.P.'s Motion to Lift Stay.

Upon due consideration, it is hereby

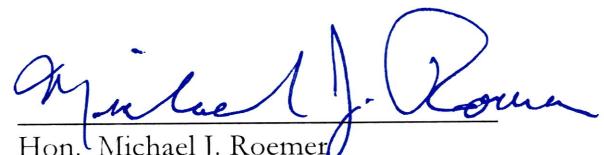
ORDERED, that, effective April 30, 2024, the Receiver must vacate the Leased Premises located at 115 Lawrence Bell Drive, Suite 118, Williamsville, New York, and surrender possession, custody and control of the Premises to Uniland; and it is hereby further

ORDERED, that the Receiver must pay \$221,483.19 to Uniland as an administrative expense to compensate Uniland for the Receiver's occupation/use of the Leased Premises from January 12, 2024 through to April 30, 2024. Payment must be made within thirty days from the date of this Order; and it is hereby further

ORDERED, that absent any written agreement between the Receiver and Uniland to the contrary, any personal property remaining in the Leased Premises after April 30, 2024 is deemed abandoned by the Receivership Estate and shall not be subject to the stay provisions of the Preliminary Injunction.

SO ORDERED:

Dated: April 24 2024


Hon. Michael J. Roemer
United States Magistrate Judge